

Thomas Jefferson, May 3, 1806, Henry Whitby Proclamation, The Works of Thomas Jefferson in Twelve Volumes. Federal Edition. Collected and Edited by Paul Leicester Ford.

DRAFT OF PROCLAMATION CONCERNING “LEANDER” J. MSS.

[May 3, 1806.]

Whereas satisfactory information has been received that Henry Whitby, commanding a British armed vessel called the *Leander*, did, on the 25th day of the month of April last past, within the waters & jurisdiction of the U. S. and near to the entrance of the harbor of New York by a cannon shot fired from the sd. vessel *Leander*, commit a murder on the body of John Pearce a citizen of the U. S. then pursuing his lawful vocations within the same waters & jurisdiction of the U. S. and near to their shores, & that the sd. Henry Whitby cannot be brought to justice by the ordinary process of law:

And whereas it does further appear that both before & after the said day sundry trespasses, wrongs, & unlawful interruptions & vexations on trading vessels coming to the U. S. and within their waters & vicinity were committed by the sd. armed vessel the *Leander* her officers, & people, by one other armed vessel called the *Cambrian*, commanded by her officers and people, and by one other armed vessel called the *Driver* commanded by her officers & people, which vessels being all of the same nation were aiding & assisting to each other in the trespasses, interruptions & vexations aforesaid:

Now therefore to the end that the sd Henry Whitby may be brought to justice & due punishment inflicted for the sd murder, I do hereby especially enjoin & require all officers having authority civil or military, and all other persons within the limits or jurisdiction of the

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U. S. wheresoever the said Henry Whitby may be found now or hereafter, to apprehend & secure the said Henry Whitby, & him safely & diligently to deliver to the civil authority of the place to be proceeded against according to law.

And I do hereby further require that the sd armed vessel the *Leander* with her other officers & people, & the sd armed vessels the *Cambrian* & *Driver* their officers & people, immediately & without any delay, depart from the harbours & waters of the U. S. And I do forever interdict the entrance of all the harbours & waters of the U. S. to the sd armed vessels, & to all other vessels which shall be commanded by the sd and or either of them.

And if the said vessels or any of them shall fail to depart as aforesaid, or shall reenter the harbours or waters aforesaid, I do in that case forbid all intercourse with the sd armed vessels the *Leander* the *Cambrian* & the *Driver* or with any of them, & the officers & crews thereof, and do prohibit all supplies & aid from being furnished them or any of them. And I do declare and make known that if any person from, or within, the jurisdictional limits of the U. S. shall afford any aid to either of the sd armed vessels contrary to the prohibition contained in this proclamation, either in repairing such vessel, or in furnishing her officers or crew with supplies of any kind, or in any manner whatsoever or if any pilot shall assist in navigating any of the sd armed vessels, unless it be for the purpose of carrying them in the first instance beyond the limits & jurisdiction of the U. S. such person or persons shall on conviction, suffer all the pains & penalties by the laws provided for such offences. And I do hereby enjoin & require all persons bearing office civil or military within the U. S. & all other citizens or inhabitants thereof or being within the same with vigilance & promptitude to exert their respective authorities, & to be aiding & assisting to the carrying this proclamation & every part thereof into full effect.

In testimony whereof I have caused the seal of the U. S. to be affixed to these presents and signed the same with my hand. Given at the city of Washington the 3d day of May, in the year of our lord 1806 & of the sovereignty & independence of the U. S. the 30th.